

# Exhibit 3

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<hr/> <b>In re:</b> Methyl Tertiary Butyl Ether ("MTBE") Product Liability Litigation  This Document Relates To:  County of Suffolk, et al. v. Amerada Hess Corp., et al. No. 04-CV-5424  United Water of New York, Inc. v. Amerada Hess Corp., et al. No. 04-CV-2389  City of New York v. Amerada Hess Corp., et al. No. 04-CV-3417 <hr/>	<b>MDL No. 1358 (SAS)</b>
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**DECLARATION OF GULF OIL LIMITED PARTNERSHIP**  
**PURSUANT TO CASE MANAGEMENT ORDER NO. 4**

Gulf Oil Limited Partnership ("GOLP") declares the following:<sup>1</sup>

1. Pursuant to Section III(B)(1)(c)(i) of Case Management Order No. 4, GOLP declares that it has no site remediation files in its possession, custody or control related to any release or spill of gasoline within the Relevant Geographic Area covered by the focus case of *City of New York v. Amerada Hess Corp., et al.*, 04-CV-3417.

2. Pursuant to Section III(B)(1)(c)(ii) of Case Management Order No. 4, GOLP declares that it does not own and has not owned, does not operate and has not operated, and does

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<sup>1</sup> Unless otherwise defined herein, capitalized terms shall have the same meaning as set forth in the Court's October 19, 2004 Case Management Order No. 4.

not lease and has not leased any gasoline stations within the Relevant Geographic Area covered by the focus case of *City of New York v. Amerada Hess Corp., et al.*, 04-CV-3417.

3. Pursuant to Section III(B)(1)(c)(ii) of Case Management Order No. 4, GOLP declares that the following gasoline stations are or have been subject to a retail supply contract with GOLP in the Relevant Geographic Area covered by the focus case of *City of New York v. Amerada Hess Corp., et al.*, 04-CV-3417:

STREET	CITY	STATE	ZIP CODE	DATES
200 05 Horace Harding Blvd.	Bayside	NY	11364	1994 – present
87-19 Rockaway Blvd.	Ozone Park	NY	11416	1994 – present
72-09 Main Street	Flushing	NY	11367	1994 – present
73 38 Cooper Ave.	Glendale	NY	11385	1994 – present
224-01 No. Conduit Ave.	Laurelton	NY	11413	1994 – present
91-01 Metropolitan Ave.	Rego Park	NY	11374	2001 – present
131-07 Merrick Blvd.	Springfield Gardens	NY	11434	2002 – present
158-05 Union Tpke.	Flushing	NY	11366	1994 – 2001
166-06 Hillside Ave.	Jamaica	NY	11432	1994 – 1995
187-48 Jamaica Ave.	Hollis	NY	11423	1994 – 1997

4. Pursuant to the foundational requirements of Section III(B)(2)(a), GOLP declares that the databases and categories of documents retrievable through reasonable effort that were used to gather the information provided under Section III(B)(1)(c)(i) and (ii) consisted of the facilities database maintained by GOLP. GOLP further declares that, based on its required investigation, James D'Entremont is the person most qualified to testify on GOLP's behalf concerning the information provided under Section III(B)(1)(c)(i) and (ii).

5. Pursuant to Section III(B)(2)(a) of Case Management Order No. 4, GOLP declares that it has no information to provide under Section III(B)(2)(a)(ii) – (vi) or (viii) as those subtopics relate solely to manufacturers of neat MTBE and/or TBA and refiners.

6. Pursuant to Section III(B)(2)(a)(i) of Case Management Order No. 4, GOLP declares it has supplied gasoline containing MTBE to the following jobbers and that those jobbers are likely to have provided that gasoline to one or more of the Relevant Geographic Areas:

*County of Suffolk v. Amerada Hess, et al.*, 04-CV-5424

NAME	ADDRESS	CITY	STATE	ZIP
Alliance Energy Corp.	36 East Industrial Ave.	Branford	CT	06405
Benit Fuel Sales & Service Inc.	P.O. Box 1411	Smithtown	NY	11787
Consumers Petroleum of CT, Inc.	400 Eagles Nest Road	Bridgeport	CT	06607
Cumberland Farms, Inc.	777 Dedham Street	Canton	MA	02021
Enka Petroleum Inc.	1149 Old Country Road	Riverhead	NY	11901
Petroleum Supply Corp.	3701 Bedford Avenue	Brooklyn	NY	11229
RAD Oil	287 Bowman Avenue	Purchase	NY	10577
USA Petroleum Products	2650 Route 112	Medford	NY	11763
W C Esp Inc.	2141 Main Street Box 3047	Bridgehampton	NY	11932
Warex Terminals Corp. Inc.	1 South Water Street	Newburgh	NY	12550

*City of New York v. Amerada Hess Corp., et al.*, 04-CV-3417

NAME	ADDRESS	CITY	STATE	ZIP
Alliance Energy Corp.	36 East Industrial Ave.	Branford	CT	06405
Apache Oil Co, Inc.	261 Ledyard Street	New London	CT	06320
Consumers Petroleum of CT, Inc.	400 Eagles Nest Road	Bridgeport	CT	06607
Cumberland Farms, Inc.	777 Dedham Street	Canton	MA	02021
Petroleum Supply Corp.	3701 Bedford Avenue	Brooklyn	NY	11229
RAD Oil	287 Bowman Avenue	Purchase	NY	10577

Tsungas Petroleum Inc.	301 Kinnelon Road	Kinnelon	NJ	07405
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*United Water New York, Inc. v. Amerada Hess Corp., et al., 04-CV-2389*

NAME	ADDRESS	CITY	STATE	ZIP
Alliance Energy Corp.	36 East Industrial Ave.	Branford	CT	06405
Apache Oil Co, Inc.	261 Ledyard Street	New London	CT	06320
Consumers Petroleum of CT, Inc.	400 Eagles Nest Road	Bridgeport	CT	06607
Cumberland Farms, Inc.	777 Dedham Street	Canton	MA	02021
M Spiegel & Sons Oil Corp.	10 East Village Road	Tuxedo Park	NY	10987
Masouleh Corp.	301 River Road	Clifton	NJ	07014
RAD Oil	287 Bowman Avenue	Purchase	NY	10577
Warex Terminal Corp. Inc.	1 South Water Street	Newburgh	NY	12550
Halstead Quinn Propane	33 Hubbells Drive	Mt. Kisco	NY	10549

7. Pursuant to the foundational requirements of Section III(B)(2)(a), GOLP declares that the databases and categories of documents retrievable through reasonable effort that were used to gather the information provided under Section III(B)(2)(a)(i) consisted of the facilities database maintained by GOLP. GOLP further declares that, based on its required investigation, James D'Entremont is the person most qualified to testify on GOLP's behalf concerning the information provided under Section III(B)(2)(a)(i).

8. Pursuant to Section III(B)(2)(a)(vii) of Case Management Order No. 4, GOLP declares that it does not refine any products. GOLP further declares that to the best of its knowledge after reasonable inquiry it is likely that GOLP sold certain gasoline products containing MTBE to jobbers who in turn distributed those products within one or more of the

Relevant Geographic Areas. With respect to those products, GOLP further declares that the associated product codes have been provided in the following format, “\_\_/\_\_\_\_.”

<b>PRODUCT NAME AND GRADE</b>	<b>PRODUCT CODE</b>
87 CONVENTIONAL	20/321601
89 CONVENTIONAL	25/321701
89 CONVENTIONAL	28/321793
93 CONVENTIONAL	30/321104
OXY U/L REG 87 MTBE	21/421601
OXY U/L REG 89 MTBE	26/421701
OXY U/L REG 89 MTBE	33/421793
OXY U/L REG 93 MTBE	31/421104
87 RFG NON-VOC	01/621601
89 RFG NON-VOC	05/621701
89 RFG NON-VOC	07/621793
93 RFG NON-VOC	15/621104
87 RFG VOC	50/611601
89 RFG VOC	52/611793
93 RFG VOC	53/611104
87 OPRG	02/721601
89 OPRG	08/721701
89 OPRG	10/721793
93 OPRG	17/721104

9. Pursuant to the foundational requirements of Section III(B)(2)(a), GOLP declares that the databases and categories of documents retrievable through reasonable effort that were

used to gather the information provided under Section III(B)(2)(a)(vii) consisted of the billing system database maintained by GOLP. GOLP further declares that, based on its required investigation, Dennis J. Elkevich is the person most qualified to testify on GOLP's behalf concerning the information provided under Section III(B)(2)(a)(vii).

10. Pursuant to Section III(B)(2)(a)(ix) of Case Management Order 4, which requests information under the categories from the Court's June 22, 2004 "Marathon Order," as that information pertains to the Relevant Geographic Areas at issue in each focus case, GOLP declares that it has already provided the information required under category (1) of the "Marathon Order" in paragraph 3 of its November 30, 2004 declaration and paragraph 3 of this declaration. GOLP further declares that categories (2) – (7) of the "Marathon Order" are not applicable to GOLP.

Respectfully submitted,



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